

Inorganic Byproducts Negotiated Rulemaking – Preliminary Description of Burden Associated with CDR Reporting

This document provides an overview of current estimated changes associated with reporting under the Chemical Data Reporting (CDR) Rule for reporters who may be covered under the inorganic byproducts negotiated rulemaking, and provides preliminary estimates of burden changes associated with four options currently under discussion by the Substantive Subgroup of the Negotiating Committee.

Regulatory Text Relevant to Commercial Use Byproducts Exemption:

40 CFR 711.10 - Activities for which reporting is not required

A person described in § 711.8 is not subject to the requirements of this part with respect to any chemical substance described in § 711.5 that the person solely manufactured or imported under the following circumstances:

- (a) The person manufactured or imported the chemical substance described in § 711.5 solely in small quantities for research and development.
- (b) The person imported the chemical substance described in § 711.5 as part of an article.
- (c) The person manufactured the chemical substance described in § 711.5 in a manner described in 40 CFR 720.30(g) or (h)¹.

40 CFR 720.30(g)

Any byproduct if its only commercial purpose is for use by public or private organizations that

- (1) burn it as a fuel,
- (2) dispose of it as a waste, including in a landfill or for enriching soil, or
- (3) extract component chemical substances from it for commercial purposes. (This exclusion only applies to the byproduct; it does not apply to the component substances extracted from the byproduct.)

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¹ Note: 40 CFR 720.30(h) is not pertinent to this negotiated rulemaking.

Percent Impacts by Option for Inorganic Byproducts that are recycled, reprocessed, or reused

Ex. 5 - Deliberative Process

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Ex. 5 - Deliberative Process

2. Options to Limit Processing & Use Reporting for Inorganic Byproducts Manufacturers				

Ex. 5 - Deliberative Process

reprocessed.

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

3. Options to Simplify Reporting for Inorganic Byproducts Manufacturers

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process